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Arizona Corporation Commission

**DOCKETED**

**MAY 03 2005**

**BEFORE THE ARIZONA POWER PLANT AND  
TRANSMISSION LINE SITING COMMITTEE**

DOCKETED BY	
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IN THE MATTER OF THE APPLICATION )  
OF SALT RIVER PROJECT )  
AGRICULTURAL IMPROVEMENT AND )  
POWER DISTRICT ON BEHALF OF )  
ITSELF AND ARIZONA PUBLIC SERVICE )  
COMPANY, SANTA CRUZ WATER AND )  
POWER DISTRICTS ASSOCIATION, )  
SOUTWEST TRANSMISSION )  
COOPERATIVE, INC. AND TUCSON )  
ELECTRIC POWER IN CONFORMANCE )  
WITH THE REQUIREMENTS OF )  
ARIZONA REVISED STATUTES SECTION )  
40-360, et. seq., FOR A CERTIFICATE OF )  
ENVIRONMENTAL COMPATIBILITY )  
AUTHORIZING THE CONSTRUCTION OF )  
THE PINAL WEST TO SOUTHEAST )  
VALLEY/BROWNING PROJECT, )  
INCLUDING THE CONSTRUCTION OF )  
TRANSMISSION LINES FROM PINAL )  
WEST TO THE BROWNING SUBSTATION )  
AND OTHER INTERCONNECTION )  
COMPONENTS IN PINAL AND )  
MARICOPA COUNTIES, ARIZONA. )

Docket No.: L-00000B-04-0126

Case No. 126

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**NOTICE OF FILING**

NOTICE IS HEREBY GIVEN that Intervenor PIVOTAL SANDIA, LLC, an Arizona limited liability company; FIRST AMERICAN TITLE COMPANY, a corporation, AS TRUSTEE OF ITS TRUST N. 8572; FIRST AMERICAN TITLE COMPANY, a corporation,

AS TRUSTEE OF ITS TRUST N. 8573; FIRST AMERICAN TITLE COMPANY, a corporation, AS TRUSTEE OF ITS TRUST N. 8574; WUERTZ FARMING LIMITED COMPANY, an Arizona limited liability company; SUNDANCE FARMS LIMITED PARTNERSHIP, LLP, an Arizona limited liability partnership; MCKINNEY FARMING COMPANY, an Arizona general partnership; SARAH WUERTZ; GREGORY WUERTZ; CAROL WUERTZ BEHRENS; AND DAVID WUERTZ, by and through its undersigned counsel, gives notice that it is filing its Summary of Closing Arguments together with related demonstration graphics.

DATED this 3rd day of May, 2005.

BISKIND, HUNT & TAYLOR, P.L.C.

By: Karrin K. Taylor  
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ORIGINAL + 30 copies filed this  
3<sup>rd</sup> day of May, 2005, with:

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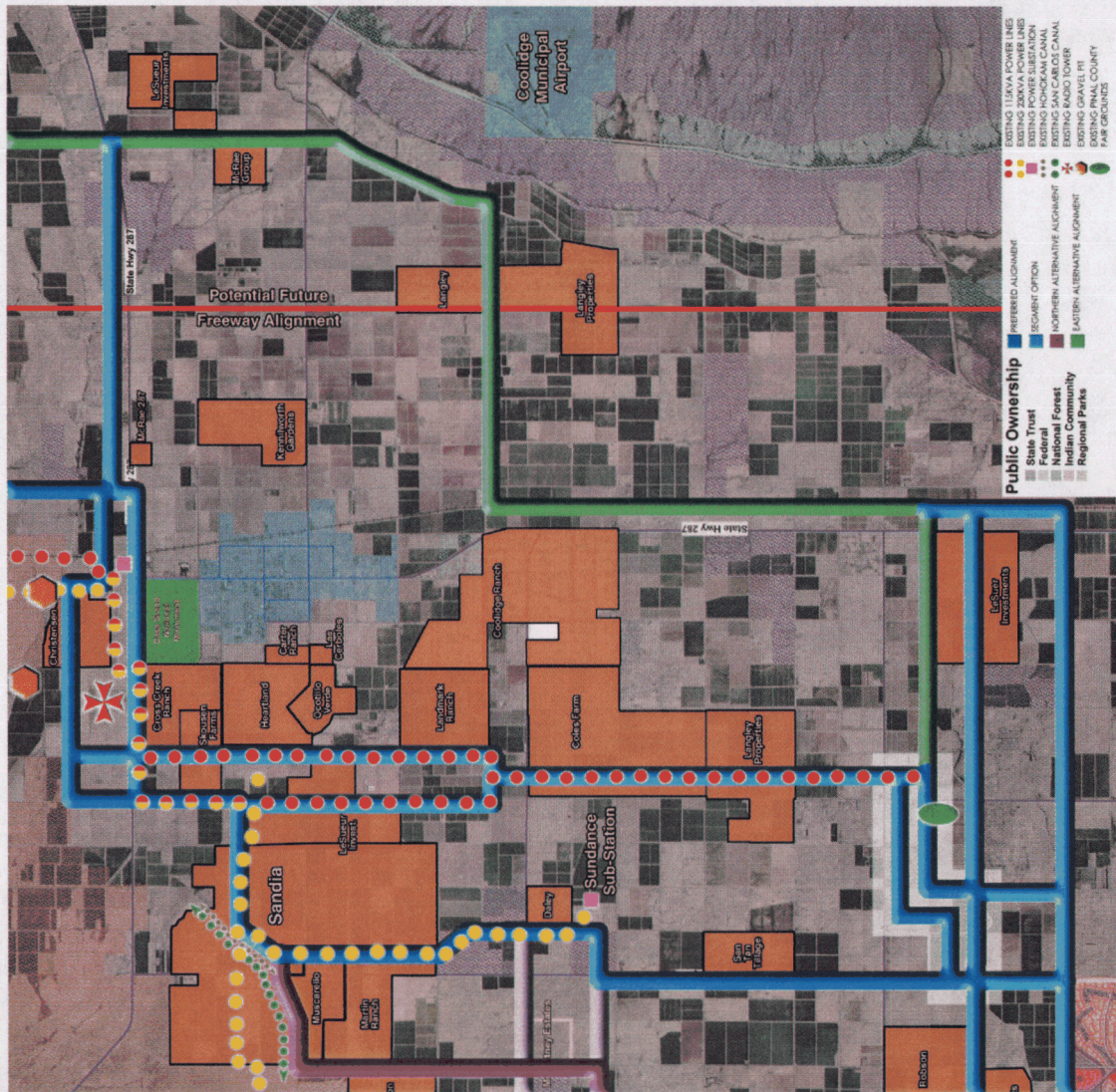
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By 



- The Eastern Alignment through the City of Coolidge and within Area C is consistent with (1) the stated preference of the Coolidge City Council; and (2) development plans throughout the City.
- The Preferred Alignment along Curry Road will have a disproportionate burden on the Sandia master planned community.
- The Eastern Alignment through the City of Coolidge and within Area C will provide additional public recreational opportunities.
- The Eastern Alignment through the City of Coolidge and within Area C will avoid the placement of additional transmission lines and towers within the sensitive viewshed of the Casa Grande National Monument and the cumulative adverse effect on the visual landscape.
- While cost estimates testified to by the Applicant have varied somewhat, the Applicant has consistently indicated that the Eastern Alignment within Area C is less expensive than the Preferred Alignment.





**Summary of Closing Argument  
Pivotal Sandia, LLC/Wuertz, et al.**

**Area C**

Title 40 clearly sets forth several factors for this Committee to consider as a basis for its action with respect to the suitability of transmission line siting. On behalf of Pivotal/Wuertz et al., and in the spirit of brevity I will focus on only a few factors as other parties will necessarily focus on other factors.

1. **The Eastern Alignment through the City of Coolidge and within Area C is most consistent with the stated preference of the City and development plans throughout the City.**

The City Council of the City of Coolidge officially took the position to support the Eastern Alignment as its preferred alignment through Coolidge. The City clearly recognizes the rapid emergence of residential development in the western area of the City and stated its desire to protect this area from additional transmission lines through its support of the Eastern Alignment.

The Preferred Alignment along Curry Road will disproportionately impact the development of Sandia given the existence of multiple, large utility corridors already existing on the Sandia property. The cumulative impact of the existing utility corridors, including two existing 230kV lines, plus an additional 500kV line on the property would be an unfair burden that should not be imposed on this residential community. You have heard testimony that the addition of a 500kV line through Sandia would result in a cumulative utility corridor width in excess of seven hundred feet (700'). The Developer of Sandia will utilize the existing utility corridors to help create recreation opportunities within the community – additional width in these corridors becomes a burden that cannot be mitigated. The residents of Sandia will already be required to pay for the costs associated with the improvement and maintenance of existing large utility corridors.

In addition to the City of Coolidge, all of the Area C Intervenors, representing various property interests, support the Eastern Alignment through Coolidge up to Highway 287, including Langley Properties whose property will be directly impacted by the Eastern Alignment.

The Langley Property impacted by the Eastern Alignment is in an area of the City that is expected to emerge as the commercial/industrial growth area for the City due, in large part, to the proximity to the Coolidge Municipal Airport and the currently contemplated freeway corridor. You have also heard testimony regarding the general planning preference for locating such utility corridors near commercial and industrial areas.

2. **The Eastern Alignment through the City of Coolidge and within Area C will provide additional public recreational opportunities.**

The Eastern Alignment will likely be built before significant development occurs and as such, public recreational opportunities can be planned for within and adjacent to the transmission line corridor.

Moreover, if selected by this Committee, the Eastern Alignment will provide additional opportunities to co-locate other utilities to serve the eastern portions of the City of Coolidge. Indeed, in a letter recently filed with Docket Control by the City of Mesa, should the Eastern Alignment be selected and located immediately east of the Union Pacific railroad right-of-way and immediately south of the Bartlett Road right-of-way the easement area could serve as a utility corridor for water, sewer and telecommunications lines as well as to accommodate storm water retention from adjacent properties.

3. **The Eastern Alignment through the City of Coolidge and within Area C will avoid the placement of additional transmission lines and towers within the sensitive viewshed of the Casa Grande National Monument and cumulative adverse effect on the visual landscape.**

The Casa Grande National Monument has clearly taken the position that its preference is for the Eastern Alignment and that the Preferred Alignment, north of the monument's western and northern boundaries, would result in a negative impact on the viewshed of the Monument.

The Superintendent of the National Monument, Dr. Paige Baker stated in his letter, now included in the record of this case, that the mission of the Monument is to preserve and protect the integrity of Monument for the benefit and enjoyment of this and future generations.

4. **While cost estimates testified to by the Applicant have varied somewhat, the Applicant has consistently indicated that the Eastern Alignment within Area C is less expensive than the Preferred Alignment.**

The Applicant's witness, Dan Hawkins, testified that the Eastern Alignment is less expensive than the Preferred Alignment (Curry Road) and that even the Modified Eastern Alignment (the "backwards C") is still less expensive than the Preferred Alignment.



## **Summary**

In summary, any of the proposed alignments that run through the western portion of the City of Coolidge will dramatically affect the City's emerging residential growth corridor and would be in direct conflict with the wishes of the City Council of the City of Coolidge.

The addition of the 500kV lines on the Preferred Route (Curry Road) will create an even more disproportionate burden on the Sandia master planned community given that Sandia already has multiple large utility corridors in multiple locations on the property.

Finally, the Eastern Alignment as it runs through the City of Coolidge in Area C is not only less expensive than the Preferred Alignment, but it makes much more sense from a land planning perspective and is supported by all of the Area C Intervenors.